



Environmental and Public Protection Cabinet
Department for Environmental Protection
Division of Water
14 Reilly Road
Frankfort, Kentucky

Kentucky Pollutant Discharge Elimination System

Public Notice No. 2006-16

Date of Notice: May 19, 2006

Comments Due By: June 19, 2006

The Kentucky Department for Environmental Protection, Division of Water proposes to issue, modify or terminate Kentucky Pollutant Discharge Elimination System (KPDES) permits for the treated wastewater discharges listed below.

KPDES COAL GENERAL PERMIT COVERAGE

1. **HENDRICKSON EQUIPMENT, INCORPORATED**, Route 1393 and Mallie Road, Hindman, Kentucky. KPDES No. KYG046564. This permit action involves a new source discharge of coal mine related drainage from surface mining and storm water runoff that enters Smith Branch in Knott County. Permit Writer: Diana Davidson.
2. **PETER FORK MINING COMPANY**, US Route 23, and Stonecoal Creek Road, Pikeville, Kentucky. KPDES No. KYG041546. This permit action involves a new source discharge of coal mine related drainage and storm water runoff that enters an unnamed tributary of Lackens Branch in Pike County. Permit Writer: Diana Davidson.

PUBLIC NOTICE

Kentucky Department for Environmental Protection

Division of Water
14 Reilly Road
Frankfort Office Park
Frankfort, Kentucky 40601
(502) 564-3410

Public Notice No. PT 06-16

Notice of Request for Approval of A Municipal Pretreatment Program

In accordance with the provisions of the Clean Water Act of 1977 and the National Pretreatment Program, the City of Fulton has developed and submitted for approval by the Environmental and Public Protection Cabinet, Division of Water, modifications to the pretreatment program for its publicly owned treatment works (POTW). KEPPC, Division of Water, has made a preliminary determination that this pretreatment program meets the requirements of 401 KAR 5:057, Section 6 and 40 CFR 403.

These modifications are due to a reevaluation of the local limits, which include raising the limit of copper from 0.21mg/l to 0.25 mg/l. All other limits are more stringent or equal to existing limits.

The POTW pretreatment program is available for inspection and copying at the addresses listed below:

Environmental and Public Protection Cabinet
Department for Environmental Protection
Division of Water
14 Reilly Road, Frankfort Office Park
Frankfort, Kentucky 40601

City of Fulton
P.O. Box 1350
Fulton, Kentucky 52041

Interested persons are encouraged to submit comments on the program and may request a public hearing. All comments submitted will be considered by EPPC, Division of Water. Persons requesting a public hearing must state reasons why such a hearing is warranted. In accordance with 401 KAR 5:057, Section 8(2)(a)2, **the public notice comment period will end on June 19, 2006**. If no comments to this notice are received, the proposed pretreatment program will be approved as set forth herein without changes and without further public notice. In such event, this notice shall constitute the "notice of approval or disapproval" required by 403.11(e) and no additional notice shall be provided.

Send comments or request for public hearing to the Inventory and Data Management Section, Division of Water, 14 Reilly Road, Frankfort Office Park, Frankfort, Kentucky 40601.

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Commonwealth of Kentucky Antidegradation Statement

Antidegradation determinations have been made in regard to the permits referenced in this Public Notice. Any information concerning the foundation of the Division's position as to these determinations is addressed in the permits' Statement of Basis or Fact Sheets and all supporting documentation is available in the permit files maintained at the Division central office in Frankfort, Kentucky. Kentucky's antidegradation policy is found in Regulation 401 KAR 5:029, Section 1. Antidegradation policy implementation methodology is defined in Regulation 401 KAR 5:030. The primary purposes of these regulations is to safeguard the surface waters of the Commonwealth for their designated uses, to prevent the creation of any new pollution of these waters, and to abate any existing pollution.

GENERAL INFORMATION

The KPDES program issues permits for all treatment facilities which discharge, or propose to discharge, to waters of the Commonwealth which are classified for domestic water supply, for fish and aquatic life, and for recreation. Proposed KPDES permits are written to protect the classified uses of receiving waters and contain limitations on the amounts of pollutants to be discharged and other conditions. The proposed permits are drafted in accordance with applicable provisions of the Kentucky Revised Statutes and appropriate regulations. The permit conditions are tentative and open to comment from the public. Persons wishing to comment upon or object to the proposed action (permit issuance, modification or termination) or the proposed permit conditions are invited to submit comments to the Division at the following address: **Department for Environmental Protection, Division of Water, KPDES Branch, Frankfort Office Park, 14 Reilly Road, Frankfort, Kentucky 40601, Attention: Inventory & Data Management Section.** The comments must be received by the comment due date stated at the beginning of this notice. The applicant's name and KPDES number should be included in the comments.

Interested persons may also request that the Director of the Division hold a public hearing on any application. The request must be filed within the comment period and must indicate the interest of the party filing it and the reasons why a hearing is warranted. When there is public interest, the Director will hold a public hearing pursuant to 401 KAR 5:075, Section 7. After consideration of comments submitted during the comment period, the hearing record, if any, and the requirements of the Federal and State Acts and appropriate regulations, the Director of the Division will make a determination regarding final permit action.

Permit applications, draft permits, fact sheets or statements of basis, and additional information are available by contacting the Division of Water. Business hours are 8:00 a.m. to 4:30 p.m. Monday through Friday, except for holidays. A copy machine is available for public use at 10 cents per page. Three (3) days advance notice may be required for inspection of files. **Please bring the preceding to the attention of persons whom you know will be interested.**

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